

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOSE LUIS ALVAREZ-GOMEZ,	)	
ID # 47850-177,	)	
Movant,	)	No. 3:17-CV-2560-B (BH)
vs.	)	No. 3:14-CR-037-B (1)
	)	
UNITED STATES OF AMERICA,	)	
Respondent.	)	


ORDER OF THE COURT ON RECOMMENDATION REGARDING  
REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL

Considering the record in this case and the recommendation of the Magistrate Judge, the Court hereby finds and orders:

- ( ) The motion for leave to proceed *in forma pauperis* on appeal is GRANTED.
- (X) The motion for leave to proceed *in forma pauperis* on appeal is DENIED for the following reasons:
- (X) Movant is not a pauper. The Certificate of Inmate Trust Account shows that Movant has a current balance of \$2,900 and an average monthly balance of \$1,809. Movant has not shown that he has any demands on his financial resources or that he would suffer deprivation of the necessities of life if he pays the \$505.00 appellate filing fee. See *Crider v. Scott*, 50 F.3d 1033, 1033 (5th Cir. 1995) (per curiam).

Although this Court has denied leave to proceed *in forma pauperis* on appeal, Movant may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). See Fed. R. App. P. 24(a)(5).

SIGNED this 30<sup>th</sup> day of January, 2018.

  
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JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE